

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley	
Date: 11/18/2010	Case Number 1:09-cr-270
Case Style: USA vs. Thomas Creighton Shrader	
Type of hearing Sentencing	
Before the honorable: 2516-Berger	
Court Reporter Lisa Cook	Courtroom Deputy Kierstin Tudor
Attorney(s) for the Plaintiff or Government Thomas Ryan	
Attorney(s) for the Defendant(s) Christian Capece	
Law Clerk Gabe Wohl	Probation Officer Dave Stevens

Trial Time

Contested Sentencing Hearing.

Non-Trial Time

Court Time

10:01 am to 11:53 am  
Total Court Time: 1 Hours 52 Minutes Court actively conducting trial proceedings/Contested proceedings

Courtroom Notes

Scheduled Start 10:00 a.m.  
Actual Start 10:01 a.m.  
[Bluefield case; hearing held in Beckley]

Defendant present in person and by counsel for sentencing as to Counts 1, 2 & 3 of the Second Superseding Indictment.  
Counsel note appearances on the record.  
Defendant placed under oath.  
Court notes its receipt of a letter from Defendant, and ORDERS the same filed (marked as Court Exhibit 1).  
Court addresses PSR and remaining objections.  
Gov't Exhibits 1, 2, 3, 4, 5, 6 & 7 marked and admitted.  
Court ADOPTS findings in PSR.  
Probation to file PSR in court file under seal.  
Court FINDS the applicable U.S.S.G. ranges to be:  
Total Offense Level: 33  
Criminal History: IV  
Custody Range: 188 - 235 months  
Supervised Release Range: 3 - 5 years  
Fine Range: \$17,500 - \$175,000  
Assessment: \$300

## District Judge Daybook Entry

Court addresses 3553(a) factors, and makes applicable findings.

Defense Exhibits A, B & C marked and admitted.

Counsel speak before sentence is imposed.

Victim DELORES STANLEY speaks.

Victim RALPH STANLEY speaks.

After considering advisory U.S.S.G. ranges and 3553(a) factors, Court IMPOSES sentence as follows.

Custody: 235 months

Supervised Release: 5 years

Fine: none imposed

Assessment: \$300

Court states reasons for sentence imposed.

Defendant advised of right to appeal.

Defendant REMANDED.

Court recessed at 11:53 a.m.